

intelligence information or access or sharing capabilities. The DNI may also use funds to pay for non-NIP—national intelligence program—activities and to address critical gaps in those areas.

Section 409 expands the number of officials in the office of the DNI who can protect sources and methods from unauthorized disclosure. This authority may now be delegated to the Principal Deputy Director of National Intelligence and the chief information officer of the intelligence community. These are all good things, all things the administration needs. We also included provisions that will ensure that the men and women of our intelligence community who must work undercover may do so at less risk of disclosure and, consequently, less risk to their personal safety.

Section 305 allows the DNI to delegate the authority to authorize travel on any common carrier for purposes of preserving cover of certain employees. Section 325 extends to the head of each intelligence community element the authority to exempt certain gifts from otherwise applicable reporting requirements. Without this exemption, detailed information about the receipt of gifts from foreign governments must be published in the Federal Register. Imagine if an undercover agent receives a gift from one of the targets he is working and has to report it in the Federal Register. That not only blows his cover, it probably ends his life. That is a great national security concern to operatives who have received such gifts as part of their covert actions.

One particular provision will reduce the personnel and resources used to respond to many congressional reporting requirements. In section 330—again, in response to a request of the DNI—we eliminated a number of reporting requirements. It is a small step but an important one, as each reporting requirement diverts valuable resources from the intended purpose. I hope, within the 2009 Intelligence Authorization bill, we can make even greater progress in reducing unnecessary and duplicative reporting requirements that burden the intelligence community.

There are a number of provisions in this conference report that are essential for promoting good government. Too often we have seen programs or acquisitions of major systems balloon in cost and decrease in performance. That is unacceptable. We as taxpayers are spending substantial sums of money to ensure that the intelligence community has the tools it needs to keep us safe. If we don't demand accountability in how these tools are operated or created, then we are failing the taxpayers. We are failing the intelligence community. We are failing the mission I would hope we all agree is essential.

I sponsored several amendments that require the intelligence community to perform vulnerability assessments of major systems and to keep track of ex-

cessive cost growth of major systems. This latter provision is modeled on the Nunn-McCurdy provision which has guided Defense Department acquisitions for years. I believe these provisions will encourage earlier identification, the solving of problems relating to the acquisition of major systems. Too often such problems have not been identified until exorbitant sums of money have been spent. In some cases, several billions of dollars have been blown before the waste stopped. Unfortunately, too often, once they have sunk a bunch of money into a project, they refuse to cancel it, even though they are continuing to throw good money after bad.

Similarly, the intelligence community must get a handle on their personnel. I don't share the belief some have that the Office of the Director of National Intelligence is too large. In fact, I think we need to make sure our National Counterterrorism Center and National Counterproliferation Center have more resources, not less. They are the ultimate idea for creating a centralized intelligence community, bringing analysts and collectors together from all of the 16 different elements of the community.

I am concerned about the number of contractors used by the intelligence community to perform functions better left to Government employees. There are some jobs that demand the use of contractors—for example, certain technical jobs or short-term functions—but too often the quick fix is to hire contractors, not long-term support. So this conference report includes a provision calling for an annual personnel level assessment for the intelligence community. These assessments will ensure that before more people are brought in, there are adequate resources to support them and enough work to keep them busy.

Finally, we have included section 312, which requires the DNI to create a business enterprise architecture that defines all intelligence community business systems. The endgame is to encourage implementation of interoperable intelligence community business systems, getting everyone on the same page; in sum, making sure everybody is talking to each other and everybody who needs to know can listen in, a simple but not-yet-achieved objective. Given the substantial sums of money we are spending on these systems, we should be making certain the systems are efficiently and effectively coordinated; again, a good government provision.

There were a number of adjustments we had to make. We responded to concerns of the administration, and I worked particularly with my Democratic colleagues—and I thank them for their support—to make adjustments that would allow the bill to clear the Senate for the first time in 2 years. Let me highlight some of those adjustments because it is important to remember how much effort it took to return the bill to a bipartisan state.

No. 1, we struck a section that would have required the President to provide Congress with any President's daily brief involving Iraq during a certain time period. The PDBs have not been disclosed. As a matter of fact, they only came to light when a former official in the previous administration put some PDBs in his BVDs and stuck them out at the archives for reasons no one has adequately explained.

We struck two sections that contained controversial notification and funding restrictions. We struck a provision requiring declassification of the budgetary top line of the national intelligence program because it had already passed Congress in S. 4, the so-called 9/11 bill. We struck a section that required the CIA Director to make available to the public a declassified version of a CIA inspector general report on CIA accountability related to the terrorist attacks. That was also required by S. 4. It was about time the CIA internal IG report be made available. Everybody else had to air their failings, and it was time the CIA did so as well.

We struck a section that would have allowed the public interest declassification board to conduct declassification reviews at the request of Congress, regardless of whether the review is requested by the President. We also struck a provision that would have required a national intelligence estimate on global climate change, largely because the DNI, which is not equipped to conduct an NIE on climate change, had outsourced the responsibility for putting together an assessment, and there was no need to mandate this in law.

Finally, we made modifications to at least seven other provisions to address concerns raised by the administration and by our Senate colleagues. The end result was, we get a fiscal year 2008 Intelligence Authorization bill passed out of the Senate by unanimous consent in early October 2007. I thank my colleagues for allowing us to do that. It was long overdue, and it was a badly needed action. Then, however, we went to conference.

I urged my conferees to avoid inclusion of controversial provisions. We kept our negotiations to the base text of both bills. Given that we hadn't had an intel bill during the past 2 years, there were a lot of provisions to negotiate. I guess you could say there was a lot of pent-up oversight. After a lot of hard work, we were able to merge the two bills in a manner we believed would receive strong bipartisan support. Unfortunately, despite my warnings, history again repeated itself. During the conference markup, the Senate adopted, by a one-vote margin, a controversial provision that limits the intelligence community to using only those interrogation techniques authorized by the U.S. Army Field Manual on human intelligence collector operations. As I will discuss later, to adopt that provision and put it into law